

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

TERRELL TORRY TAYLOR,

Petitioner,

v.

CALVIN JOHNSON, *et al.*,

Respondents.

Case No. 2:21-cv-00948-RFB-DJA

ORDER

In this habeas corpus action, the respondents were due on September 20, 2021, to respond to Terrell Torry Taylor's petition for writ of habeas corpus. See Order entered June 21, 2021 (ECF No. 3) (90 days for response). On September 7, 2021, Respondents filed a motion for extension of time (ECF No. 7), requesting a 91-day extension, to December 20, 2021. Respondents' counsel states that the extension of time is necessary because of ongoing state-court proceedings. The Court finds that Respondents' motion for extension of time is made in good faith and not solely for the purpose of delay, and there is good cause for the extension of time requested.

On September 27, 2021, Taylor filed a proposed subpoena duces tecum (ECF No. 9), which he would serve on "Bode Cellmark Forensics," of Lorton, Virginia. The Court will treat that filing as a motion for leave to conduct discovery. See Rule 6 of the Rules Governing Section 2254 Cases in the United States District Courts (leave of court required to conduct discovery). It is premature for Taylor to conduct discovery in this case, as it is yet to be determined whether his claims for relief are procedurally viable.

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1 **IT IS THEREFORE ORDERED** that Respondents' Motion for Enlargement of Time
2 (ECF No. 7) is **GRANTED**. Respondents will have until and including
3 December 20, 2021, to respond to the petition for writ of habeas corpus. In all other
4 respects, the schedule for further proceedings set forth in the order entered June 21, 2021
5 (ECF No. 3) will remain in effect.

6 **IT IS FURTHER ORDERED** that Petitioner's September 27, 2021, filing (ECF No.
7 9) is construed as a motion for leave to conduct discovery and is **DENIED**.

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9 DATED THIS 26 day of October, 2021.

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13 RICHARD F. BOULWARE, II,
14 UNITED STATES DISTRICT JUDGE
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